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SUBJECT: KAZAKHSTANI JOURNALISTS DEMAND RESIGNATION OF INFORMATION
MINISTER

Ref: A) Astana 295; B) 06 Almaty 1750

11. (SBU) Summary: A dispute between Kazakhstani journalists and Minister of Information Yermukhamet Yertysbayev boiled over the week of March 5 when prominent media advocates demanded the minister's resignation for his adversarial attitude toward the media. On March 2, as TV cameras rolled, Yertysbayev dismissed a crew from an Astana municipal TV station from a huddle of reporters waiting for the minister's comments on the president's annual address to the nation.

Yertysbayev said the Era TV station had "squealed" on him in a letter to the head of the presidential administration criticizing his handling of the January frequency tender (ref A). The information ministry has filed a suit seeking to suspend Era's broadcast license for the station's alleged violation of the "50/50" law requiring equal Russian and Kazakh language programming. Era has filed its own lawsuits to annul the tender and for inhibiting the lawful activity of its correspondent. The Prime Minister has asked Yertysbayev for an explanation of the dispute by March 13. Some analysts see connections to an ongoing struggle between the president's eldest daughter and the minister for influence over Kazakhstan's media. End summary.

Minister Dismisses Era TV Journalists from Pull-Aside

12. (U) After a March 2 government meeting in Astana on implementing items from the president's annual address to the nation, a group of journalists were waiting for comment from Minister of Culture and Information Yermukhamet Yertysbayev. Centrist independently owned Channel 31 recorded for their evening news Yertysbayev's astonishing outburst when he spotted a crew from the Astana municipal station, Era TV. "Who is that? Get Era out of here, now! Get them out! We won't give Era any comments, they squealed on me. They wrote a letter about how I conducted the tender illegally, without a quorum, etc. That's a lie!" (See ref A regarding the letter to the head of the presidential administration criticizing the January frequency allocations). In discussing the incident later, the minister said he excluded Era TV from covering his remarks because the journalist arrived late, an assertion disputed by the journalist.

Journalist Organizations Demand Minister's Resignation

13. (U) The government-affiliated Kazakhstan Union of Journalists and the National Association of TV and Radio Broadcasters, along with the independent media defense foundation Adil Soz, demanded Yertysbayev's resignation during a press conference March 5. In their joint statement, the nationally known leaders of these organizations stated that the minister violated legislation guaranteeing media unrestricted access to information. Seitkazy Matayev, chairman of the journalists' union, was quoted in the March

6 issue of the progressive newspaper Vremya (circulation 180,000) saying, "Yertysbayev's obnoxious and high handed treatment of journalists started a long time ago. He defiantly expels journalists from press rooms. . . Yertysbayev behaves like a guard in a third rate bazaar. I've worked with seven ministers of information, and no one has permitted such behavior before."

Yertysbayev Refuses to Resign, Takes Era to Court

14. (U) Newswire Interfax-Kazakhstan reported March 5 that Yertysbayev refused to resign, even though some journalists "had been demanding this for a whole year." The next day Era reported that the station had received a subpoena notifying them that the information ministry had filed suit in the economic court of Astana against them for providing only 38% Kazakh language programming instead of 50% as required by the Law on Languages and Law on Mass Media. The ministry is asking the court to suspend Era's broadcasting license for three months. According to the subpoena the court hearing will start in two weeks. Era TV reported March 5 that Kazakhstan's Union of Journalists promised to provide both legal and financial support for their defense in court. The station argues that the RIA Arna, the regional TV station in Pavlodar that received seven broadcast frequencies in the January tender, provides only 6% Kazakh language programming.

Era Journalist and Station File Lawsuits

15. (U) On March 7 several media reported that Era TV journalist Yuliya Isakova filed a suit in the Almatinskiy district court of Astana against the minister of information for impeding journalism activities guaranteed to her under the law. According to the reports, Isakova said she seeks only 1 tenge in moral damages from

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the minister for "the principle" of upholding journalists' rights to report. On March 11, the station filed a lawsuit asking for the results of the January frequency tender to be annulled. Yertysbayev had already commented on the tender in his March 8 interview with the weekly pro-government Central Asia Monitor (circulation 14,000/week). "We don't intend to resolve the situation regarding the tender, since there was no violation of the law. The procurator general did not uncover any violation and if this case is brought to court, we can quite easily prove we're right. It's possible we could initiate a countersuit for slander."

Prime Minister Asks Yertysbayev for Explanation

16. (SBU) Interfax and other media reported on March 11 that Prime Minister Karim Masimov raised the issue at a government meeting that day and asked Yertysbayev to provide him a written explanation of the conflict by March 13. Masimov said that media had asked him about the conflict, so he wanted a fuller assessment from Yertysbayev "of all questions" that were being posed to Masimov. In a conversation with emboff March 12, Isakova (protect) said Era TV director general Mirbulat Kunbayev sent his own memo to the prime minister explaining the sequence of events. She said unnamed "sources" told the station that Yertysbayev spoke with editors-in-chief of print media on March 12 and asked them to publish articles critical of Era TV.

Vremya Files Suit Against Yertysbayev

17. (U) On March 13 the independently owned Vremya, Kazakhstan's most popular newspaper, published an article about an official inquiry they sent March 9 to Prime Minister Masimov, asking him how he assessed Yertysbayev's behavior and what he intended to do about the conflict between the Ministry of Information and Kazakhstan's community of journalists. Vremya also complained that Yertysbayev had accused their own reporter of writing "dirty, completely provocative articles directed against employees of our ministry." The paper says that after consulting with lawyers "we decided to file suit against Mr. Yertysbayev to defend the business reputation

of our paper and to demand a public apology on the air of Channel 31 and in the Respublika and Vremya newspapers."

Dispute Reveals Fault Lines with Dariga Nazarbayeva

18. (U) Only four television stations covered the news that national media organizations were demanding the information minister's resignation: Era TV, Channel 31, and national broadcasters KTK and Rakhat TV, both owned by the president's son-in-law Rakhat Aliyev, the husband of media entrepreneur and member of parliament Dariga Nazarbayeva. Aliyev's wire service Kazakhstan Today and Interfax provided regular updates, and by March 13, the prominent independently owned, pro-government newspapers Liter and its Kazakh language version Aikyn were also reporting on the conflict. The official broadcasters Kazakhstan 1 and Khabar did not report on the dispute.

19. (SBU) Some analysts see the current conflict as part of an ongoing struggle between Dariga Nazarbayeva and Yertysbayev for dominance over Kazakhstan's media. Last summer the Congress of Journalists, chaired by Nazarbayeva, demanded Yertysbayev's resignation after he fired the management of Kazakhstan 1 and announced intentions to take government control over Khabar, of which Nazarbayeva supposedly owns 49% (ref B). The Union of Journalists, one of the three organizations now demanding Yertysbayev's resignation, is also associated with Nazarbayeva and chairman Matayev is considered a close confidante.

10. (SBU) Comment: It is unclear why Yertysbayev has not taken any action against Channel 31, whose executive director co-authored the letter asking for the annulment of the January tender. Some analysts claimed Yertysbayev was carrying out Masimov's bidding in the allocation of frequencies (ref A). Others claim that Yertysbayev does not want to cross Bulat Utemuratov, the head of management affairs for the presidential administration and reputedly a majority stakeholder in Channel 31. The conflict appears to have reached a new level of brinksmanship with Vremya entering the litigious fray. Masimov's response, expected after Yertysbayev submits his memorandum on the conflict, may provide some clues to the patrons supporting media players in this latest act.

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